

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: February 16, 2005

Bulk Item: Yes X No

Division: Growth Management

Department: Planning

Staff Contact Person: K. Marlene Conaway

AGENDA ITEM WORDING: Approval for one Restrictive Covenant from David L. and B. Rachelle Fowler to have one dwelling unit on contiguous lots described as Part of Lot 21 and all of Lots 22, 23, & 24, Block 3, Pamela Villa, Key Largo.

ITEM BACKGROUND: On January 11, 2005 the Planning Commission approved an allocation award for the applicant listed below provided the applicants' Restrictive Covenant is approved by the BOCC. David L. and B. Rachelle Fowler submitted the Restrictive Covenant to Monroe County. The applicants are receiving one dwelling unit allocation award for the year ending July 13, 2005, have filed the document in accordance with Ordinance No. 47-1999.

PREVIOUS RELEVANT BOARD ACTION: On November 11, 1999, the BOCC adopted Ordinance No. 047-1999.

CONTRACT/AGREEMENT CHANGES: N/A.

STAFF RECOMMENDATION: Approval.

TOTAL COST: X

BUDGETED: Yes N/A No

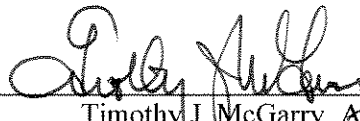
COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes N/A No **AMOUNT PER MONTH** N/A **Year**

APPROVED BY: County Atty X OMB/Purchasing N/A Risk Management N/A

DIVISION DIRECTOR APPROVAL:


Timothy J. McGarry, AICP


DOCUMENTATION: Included X

Not Required

DISPOSITION:

AGENDA ITEM #

M E M O R A N D U M

TO:: Danny Kolhage, Clerk of the Court
FROM: Timothy J. McGarry, Growth Management Director 
DATE: February 16, 2005
RE: Clarification of Agenda Item

Restrictive Covenant

Permit Number	Name on Agenda Item	Name on Restrictive Covenant	Legal Description
02-3-4126	David L. and B. Rachelle Fowler	David L. and B. Rachelle Fowler	Part of Lot 21 and all of Lots 22, 23, & 24, Block 3, Pamela Villa, Key Largo

This instrument prepared by:

David L. Fowler
813 La Paloma Rd.
Key Largo, FL 33037

LOT AGGREGATION RESTRICTIVE COVENANT

1. **WHEREAS**, David L. and B. Rachelle Fowler, husband and wife are the owners of real property located in Monroe County, Florida, described as follows:

Lots: Pt. Of Lot 21, All of Lots 22, 23 & 24 **Block:** 3.

Subdivision: Pamela Villa.

Key: Largo **PB:** 3-125

Real Estate Numbers: 00464220.000000, 00464230.000000 00464240.000000 00464250.000000 ; and

2. **WHEREAS**, this Lot Aggregation Restrictive Covenant that restricts the use of the legally described property in order to receive a building permit; and
3. **WHEREAS**, the above described parcels were assigned additional points in the Permit Allocation System for building permit #02-3-4126 for the voluntary reduction of density through aggregation of vacant, legally platted, buildable lots; and
4. **NOW, THEREFORE**, the undersigned agree as follows:
- The above described parcels shall have its density reduced from three dwelling units to one dwelling unit in consideration of a building permit to build a single-family residence; and
 - The restrictions herein shall be binding upon the representatives, heirs, assigns and successors in title of the undersigned; it being the intention of the

undersigned by execution and recording of this document that this restriction shall run with the land and shall be forever binding upon the successors in title; and

- This covenant is intended to benefit and run in favor of the County of Monroe; and

In the event of any breach or violation of the covenant contained herein, the said County may enforce the covenant by injunction or such other legal method, as the County deems appropriate.

EXECUTED ON THIS 10th day of JAN, 2003

OWNER OR OWNERS

David L. Fowler F460 172 581610
David L. Fowler

WITNESSES:

B. Rachelle Fowler F460 07670 5970
B. Rachelle Fowler

Warren E. Aladro, Jr.
(Signature)

WARREN E. ALADRO, JR.
(Print/Type Name)

Bonnie Aladro
(Signature)

BONNIE ALADRO
(Print/Type Name)

Sworn before me this 10th day of Jan, 2003 A.D.



Dale M. Kelleher
Commission # DD 035284
Expires June 20, 2005
Bonded Thru
Atlantic Bonding Co., Inc.

Notary Public (Print Name)

Dale M. Kelleher

Notary Public (Signature)

My Commission Expires: